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EX PARTE ONLY FILED

ORIGINAL

August 14, 1997

Mr. William F. Caton
Acting Secretary
1919 M Street, N.W.
Federal Communications Commission
Washington, D.C. 20554

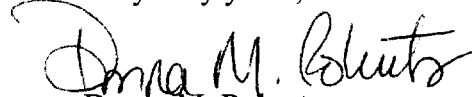
Re: **Ex Parte**
Local Telephone Number Portability; CC Docket No. 95-116

Dear Mr. Caton:

Enclosed please find a letter that was submitted by MCI to the attention of Marian Gordon of the Federal Communications Commission on July 28, 1997. By inadvertent omission, this letter was not marked as an **Ex Parte** communication, and thus is not included in the above-referenced docket.

Please include this letter in the record of this docket. Thank you.

Very truly yours,


Donna M. Roberts

Enclosure

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Mary L. Brown
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EX-100-1000000000

July 28, 1997

VIA MESSENGER

Marian Gordon
Federal Communications Commission
Designated Federal Official
North American Numbering Council
2000 M Street, N.W., Suite 236
Washington, D.C. 20554

RECEIVED
AUG 14 1997
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

Re: CC Docket No. 92-237

Dear Ms. Gordon:

MCI Telecommunications Corporation (MCI) continues to support the North American Numbering Council's (NANC's) recommendation of Lockheed-Martin Corp. (Lockheed) to serve as the new North American Numbering Plan Administrator (NANPA). Under the Federal Communications Commission's (Commission's) auspices and support, the lengthy NANC selection process included a thorough analysis of relevant criteria and the opportunity for any interested party to participate.

MCI participated in that extensive selection process, and its support for the NANC's recommendation of Lockheed as the new NANPA is based on a number of factors. First, MCI believes that the NANC's recommendation of Lockheed as the new NANPA is correct because Lockheed is technically and operationally able to perform as NANPA, offers substantial price savings, and will deliver efficiency and synergy advantages to number administration activities. Additionally, Lockheed has agreed to the important safeguards insisted upon by the NANC — transfer of NANPA-related intellectual property, and a fixed-price service guarantee. Finally, MCI agrees with the Working Group evaluation team that Lockheed is capable of performing the NANPA functions and adhering to the NANC-recommended safeguards.

Notwithstanding these factors, which weigh heavily in favor of Lockheed, some dissatisfied members of the NANC now suggest that the Commission should disregard the recommendation of its own advisory committee. One such party, SBC, has filed reply comments that, while sharply criticizing MCI's comments as "inaccurate," urge the

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Commission to reverse the NANC's recommendation and "disregard" MCI's views.¹ In fact, SBC ignores the substance of MCI's comments, mischaracterizing both MCI's views and the record in this proceeding.

SBC's major argument against Lockheed appears to be that Mitretek is a clearly superior choice because it promises to employ more people for Central Office ("CO") Code administration. Although the staffing levels for CO Code administration are an important comparative factor, it is not the case that personnel levels alone are either dispositive or in any way indicative of service quality. Rather, as AT&T (a supporter of Mitretek at the NANC) recognized, "Lockheed has not agreed to simply provide 25 employees, but rather to perform a specific service—administration of the NANP." AT&T Reply Comments at 3. In any event, under the fixed-price guarantee, Lockheed is required to perform all existing and projected NANPA functions at its bid price, and any increased staffing required would be at Lockheed's own expense. Thus any refusal by Lockheed to staff at necessary levels could result in its termination. As a result, the Commission should not base its decision on relative CO Code staffing levels, but instead on the more important factors of performance, cost and efficiency. On all of these, Lockheed is the superior choice.

SBC's reply comments mischaracterize the record in order to make it appear that Mitretek enjoys the overwhelming support of commenters in this docket. It claims that nine parties supported selection of Mitretek as the new NANPA, including "a public utility commission, a regional bell operating company, an interexchange carrier, two wireless entities and two associations" that "represent a broad spectrum of industry interests." SBC Reply Comments at 1.²

SBC's math is wrong and its conclusion inaccurate. While SBC alleges that nine parties supported Mitretek, it only lists seven. Furthermore, several of these parties actually support Lockheed, or did not indicate that they favored Mitretek. For example, the California Public Utility Commission did not state that it supported Mitretek, but

¹ Southwestern Bell Telephone Company, Pacific Bell and Nevada Bell (collectively "SBC") Reply Comments of July 3, 1997.

² Presumably, SBC is referring to the California Public Utility Commission (public utility commission); itself (an RBOC); AT&T or Worldcom (an interexchange carrier); AirTouch and Ominipoint (two wireless entities) and; PCIA and CTIA (two associations) because these are the only parties commenting on the NANPA selection that meet SBC's characterizations.

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rather simply raised concerns that the Commission should consider when selecting the new NANPA. More significantly, AT&T and WorldCom both expressed a preference for Mitretek, but indicated expressly that they have no objection to Commission selection of Lockheed. The four remaining parties alluded to by SBC (Omnipoint, AirTouch, CTIA and PCIA) do not represent a "broad spectrum of industry interests," as claimed by SBC. Instead, they represent only wireless carriers. The primary concern of those wireless commenters was that of relative staffing levels, which, as discussed above, are directly addressed by the Working Group evaluation and the NANC-recommended safeguards.

SBC's suggestion that all sectors of the telecommunications industry support Mitretek's selection as the new NANPA is a gross mischaracterization of the record. In fact, in reply comments, NEXTLINK Communications, Winstar Telecommunications and GTE, representing a competitive local exchange carrier (LEC), an incumbent LEC, and long distance and wireless carriers, all supported Lockheed's selection.³

Finally, SBC's critique of MCI's position uses selectively excerpted bits and pieces of MCI's comments to fabricate a misleading "strawman" argument that MCI has not advocated. First, SBC claims that MCI "states that Lockheed should be chosen because 'further delays to numbering administration clearly outweigh any potential benefits from 'tweaking' the recommendations.'" SBC Reply Comments at 2 *citing* MCI Comments at 8. As pointed out above, however, the need for an expeditious decision is *not* the basis for MCI's support of Lockheed. Rather, given the NANC-recommended safeguards and Lockheed's technical competence, the Commission should appoint Lockheed quickly, rather than seeking additional refinement of the selection criteria or conditions.

SBC claims that MCI's support of Lockheed's relative efficiency in numbering administration is inaccurate because "[area code exhaust is not a situation that can be administered more effectively unless these [sic] are sufficient resources to deal with area code relief issues." SBC Comments at 2. SBC fails to recognize, however, that Lockheed's automation and centralization of CO Code administration do offer new

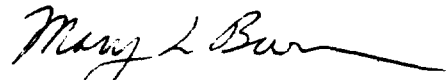
³Winstar Reply Comments at 4 ("Winstar strongly supports the NANC recommendation that Lockheed Martin be chosen for the role of the new NANPA."); NEXTLINK Reply Comments at 1-4 ("NEXTLINK concurs in NANC's recommendation of Lockheed as the NANPA."); GTE Reply Comments at 2 (GTE agrees with MCI that the Commission should not second-guess this selection [of Lockheed] chosen through the open NANC process.").

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efficiencies for numbering administration, advancing antiquated RBOC systems that needed to be brought into the 1990s. Furthermore, area code relief planning will be accomplished in a more efficient manner, and at a more reasonable cost, by an independent NANPA that can obtain more accurate data from carriers that are reluctant to provide projections to Bellcore and their RBOC competitors. This will result in more accurate area code exhaust projections.

MCI urges the Commission to refrain from revisiting the issues already addressed by the NANC—unnecessarily delaying this crucial decision—and to defer to the NANC's judgment on the technically complex issues underlying NANP administration. That approach encourages competition, benefits consumers, and addresses the industry's immediate need for fair and efficient numbering administration.

Sincerely,


Mary L. Brown

cc: Chairman Reed E. Hundt
Commissioner Susan Ness
Commissioner Rachelle Chong
Commissioner James Quello
Regina M. Keeney, Chief, CCB
Kathleen Levitz, Deputy Chief, CCB
Gerald Matise, Chief, Network Service Division